

REMARKS

The Final Office Action dated June 21, 2007 has been received and carefully considered.

Claims 1-18 are pending in the application. In this response, claims 1 and 10 have been amended. No new matter has been added. Entry of the amendments is respectfully requested. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

New Matter Objection of March 15, 2006 Amendment Under 35 U.S.C. 132(a)

On page 2 of the Final Rejection, the amendment filed March 15, 2006 has been objected to under 35 U.S.C. 132(a) because the “entire amendment” allegedly introduces new matter into the disclosure. However, Applicants respectfully disagree.

Although Applicants’ amendment replaced two paragraphs in the specification, the changes were actually very minor amendments directed to clear typographical/grammatical errors. In fact, only two words were amended - “mechanism” to “mechanisms” and deletion of “illustrates.” As a result, it is respectfully submitted that no new matter was introduced in the amendment filed March 15, 2007. Accordingly, it is respectfully requested that the new matter objection be withdrawn.

Written Description Rejection of Claims 1 and 10 Under 35 U.S.C. 112, First Paragraph

On page 2 of the Final Rejection, claims 1 and 10 have been rejected under 35 U.S.C. 112, first paragraph, for allegedly failing to comply with the written description requirement. Specifically, the Office alleges that the “[s]pecification as originally filed does not set forth how the ‘shelf assembly may be removed without removing a fastener from the assembly.’”

Although Applicants respectfully disagree, in an effort to expedite prosecution, claim 1 has been amended to recite that “the shelf assembly may be removed without removing a wall mount attachment mechanism from one or more wall mounting assemblies.” Support for this limitation may be found in at least the specification at page 1, lines 12-14, 17-19, page 5, line 20 - page 6, line 14, page 6, line 19 - page 7, line 2, Figs. 4, 5, 9, 10, 11, and 14. Specifically, the shelf assembly, through the shelf/wall mount attachment mechanism 42 may slide in and out of the slotting mechanism in the wall mount assembly 26. *See Specification, Figs. 4-5, page 12, lines 1-14.* Therefore, it is respectfully requested that the written description rejection for claims 1 and 10 be withdrawn.

Indefiniteness Rejection of Claims 1 and 10 Under 35 U.S.C. 112, Second Paragraph

On page 3 of the Final Rejection, claims 1 and 10 have been rejected under 35 U.S.C. 112, second paragraph, for allegedly being indefinite. Specifically, the Office alleges that the “[s]pecification as originally filed does not set forth how the ‘shelf assembly may be removed without removing a fastener from the assembly.’”

Although Applicants respectfully disagree, in an effort to expedite prosecution, claim 1 has been amended to recite that “the shelf assembly may be removed without removing a wall mount attachment mechanism from one or more wall mounting assemblies.” The specification at page 6, lines 9-11 disclose that the “wall mount attachment 40 [of Figs 5 and 10] may operate to connect wall mount assembly 26 to a wall or other surface.” Therefore, it is respectfully requested that the indefinite rejection for claims 1 and 10 be withdrawn.

Anticipation Rejection of Claims 1, 5, 6, and 7 Under 35 U.S.C. 102(b)

On page 4 of the Final Rejection, claims 1, 5, 6, and 10 have been rejected under 35 U.S.C. 102(b) as being allegedly anticipated by U.S. Patent No. 606,889 to Gregory (“Gregory”). However, Applicants respectfully traverse this rejection.

Although Applicants disagree with the propriety of the anticipatory rejections proposed by the Final Rejection, Applicants have nonetheless amended claim 1 to clarify the claimed invention. Specifically, independent claim 1 now recites a display system having “one or more wall mounting assemblies for mounting to a wall and removably mounting the shelf assembly, wherein the shelf assembly may be removed without removing a wall mount attachment mechanism from one or more wall mounting assemblies” and “wherein each of the one or more display object mounting assemblies removably and rotatably mount a display object to the first side of the shelf assembly, such that the display object is rotatable about an axis for display purposes and is removable from the shelf assembly.”

As amended, independent claim 1 recites features not taught or suggested by Gregory. For example, Gregory’s type-writer support system is not attached to a wall. Rather, Gregory teaches a system for attaching to a desk. Furthermore, Gregory’s type-writer support system cannot be removed from the desk without removing plate A at hinge lugs C and D. As a result, it is respectfully submitted that Gregory fails to teach at least a “shelf assembly may be removed without removing a wall mount attachment mechanism from one or more wall mounting assemblies” (emphasis added). Therefore, it is respectfully requested that the rejection for independent claims 1 and dependent claims 5-7 be withdrawn.

Obviousness Rejections of Claims 2-4, 8-9, and 11-18 Under 35 U.S.C. 103

On page 5 of the Final Rejection, claims 2, 3, 10, 11, 12, 14, 15, and 16 have been rejected under 35 U.S.C. 103 as being allegedly unpatentable over Gregory in view of U.S. Patent No. 305,190 to Winter et al (“Winter”).

On page 7 of the Final Rejection, claims 8, 9, 17, and 18 have been rejected under 35 U.S.C. 103 as being allegedly unpatentable over Gregory in view of U.S. Patent No. 5,165,539 to Peters (“Peters”).

On page 7 of the Final Rejection, claims 4 and 13 have been rejected under 35 U.S.C. 103 as being allegedly unpatentable over Gregory in view of U.S. Patent No. 6,467,745 to Sickels (“Sickels”).

Although Applicants disagree with the propriety of the anticipatory rejections proposed by the Final Rejection, Applicants have nonetheless amended claim 10 to clarify the claimed invention. Specifically, independent claim 10 now recites a display system having “one or more wall mounting assemblies for mounting to a wall and mounting the shelf assembly, wherein the shelf assembly may be removed without removing a wall mount attachment mechanism from one or more wall mounting assemblies” and “wherein each of the one or more display object mounting assemblies mount a display object to the first side of the shelf assembly, such that the display object is rotatable about an axis for display purposes and is removable from the shelf assembly.”

Similar to claim 1 discussed above, independent claim 10 recites features not taught or suggested by any of the cited references, either alone or in combination. For example, Gregory - the primary reference cited by Office - fails to teach at least a “shelf assembly may be removed

without removing a wall mount attachment mechanism from one or more wall mounting assemblies" (emphasis added). The other reference cited in the Final Rejection - Winter, Peters, and Sickels - fail to cure Gregory's deficiency in at least this regard. Therefore, it is respectfully requested that the obviousness rejection for independent claims 10 and dependent claims 2, 3, 10, 11, 12, 14, 15, and 16 be withdrawn.

Accordingly, Applicants respectfully submit that in view of the above amendment and remarks, all of the pending claims are now allowable over the cited references and request that all of the instant rejections of claims 1-18 be withdrawn.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all outstanding rejections have been overcome or rendered moot. Further, all pending claims are patentably distinguishable over the prior art of record. Any amendments are supported by the specification. Applicants accordingly submit that these claims are in a condition for allowance. Reconsideration and allowance of all claims is respectfully requested.

If the Examiner believes that a telephone conference or interview would advance prosecution of this application in any manner, the undersigned stands ready to conduct such a conference at the convenience of the Examiner.

If there are any fees due which are not enclosed herewith, including any fees required for extension of time under 37 C.F.R. §1.136, please charge such fees to our Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP



Dated: September 21, 2007
Hunton & Williams, L.L.P.
Intellectual Property Department
1900 K Street, N.W.
Suite 1200
Washington, D.C. 20006-1109
(202) 955-1500 (telephone)
(202) 778-2201 (facsimile)

Brian M. Buroker
Registration No. 39,125